

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

BROOKA STOKES,)	
)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION NO. 3:06CV1135-MHT
CITIFINANCIAL a/k/a WASHINGTON)	
MUTUAL FINANCE and GLENDA DUNCAN,)	
)	
Defendants.)	
)	

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on the 17th day of January, 2007, and was attended by Jeffrey G. Tickal, Esq., attorney for plaintiff Brooka Stokes, and by Alan D. Leeth, Esq., attorney for Defendants CitiFinancial, Inc. and Glenda Duncan (collectively "Defendants"), appearing specially so as to preserve Defendants' contractual right to compel arbitration under the parties' agreements and the Federal Arbitration Act, 9 U.S.C. section 1, *et seq.*, which Defendants have exercised.¹

2. Pre-Discovery Disclosures. In the event remand is denied, the parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) within twenty-one (21) days of the entry of said order.

3. Discovery Plan. The parties jointly propose to the court the following discovery plan:

¹ On January 17, 2007, Defendant CitiFinancial, Inc. filed a Petition for Order Compelling Arbitration against Plaintiff Brooka Stokes pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 2, 3 & 4, petitioning the Court to enter an order directing Plaintiff Brooka Stokes to submit any and all claims against CitiFinancial, Inc., and its employee, to arbitration, in accordance with the parties' agreement to do so. *See CitiFinancial, Inc. v. Stokes*, 3:07CV55, (M.D. Ala.).

- a. Discovery will be needed on the following subjects: Plaintiff's claims and Defendant's defenses.
 - b. All discovery commenced in time to be completed by August 3, 2007.
 - c. Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.
 - d. Maximum of 25 requests for admission by each party to any other party. Responses due 30 days after service.
 - e. Maximum of 6 deposition by plaintiff and 6 by defendants.
 - f. Each deposition is limited to maximum of 7 hours unless extended by agreement of parties.
 - g. Reports from retained experts under Rule 26(a)(2) due:
 - from plaintiff by May 7, 2007
 - from defendants by June 7, 2007
 - Supplementations under Rule 26(e) due July 6, 2007.
4. Other Items.
- a. The parties do not request a conference with the court before entry of the scheduling order.
 - b. The parties request a pretrial conference in August, 2007.
 - c. Plaintiff should be allowed until March 9, 2007 to join additional parties and amend the pleadings.
 - d. Defendants should be allowed until April 9, 2007 to join additional parties and amend the pleadings.
 - e. All potentially dispositive motions should be filed by no later than 90 days prior to the pretrial conference date.
 - f. Settlement cannot currently be evaluated.
 - g. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due
 - from plaintiff by July 6, 2007
 - from defendant by July 20, 2007

- h. Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).
- i. The case should be ready for trial by September 5, 2007, and at this time is expected to take approximately two (2) days.

Respectfully submitted,

s/ Alan D. Leeth

Reid S. Manley (MAN039)

Alan D. Leeth (LEE038)

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s / Jeffrey G. Tickal

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